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Chairman: Mr. Al Bayati ..... (Iraq)

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The meeting was called to order at 10.15 a.m.

Agenda item 41: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/61/12, Supp. No. 12 and Add.1, 224 and 301)

1. **Mr. Lotfi** (Islamic Republic of Iran) said that his Government had long hosted millions of refugees and displaced persons, in spite of its limited natural resources and a lack of assistance from the international community. The considerable and frequent influx of refugees along its borders with other countries, in particular refugees from Afghanistan and Iraq during the 1980s and 1990s, had negatively affected his country's socio-economic situation. While the international community had recognized those facts, it had not followed through with tangible action. The national re-registration exercise for refugees had indicated that over 920,000 Afghan refugees still lived in the Islamic Republic of Iran. They would need adequate international assistance which took into account basic food, shelter, health, education and welfare needs.

2. The Government of the Islamic Republic of Iran, together with the Government of Afghanistan and the United Nations High Commissioner for Refugees (UNHCR) had launched a joint programme for the voluntary repatriation of Afghan refugees and displaced persons in April 2002, under which more than 1.46 million Afghan refugees and displaced persons had been able to return to Iran to date, an unprecedented voluntary repatriation operation in the history of UNHCR's activities. Nevertheless, there had been a sharp drop in the rate of their return as compared with the period from 2002-2004.

3. To ensure further success of the repatriation programme, additional support was needed from the international community. Since reintegration was no doubt the most critical phase for the sustainable return of refugees to their countries of origin, it was important to ensure that conditions in Afghanistan were conducive for return; shelter and housing, health, education and welfare services should be adequately addressed, as should the remaining obstacles of unemployment, poverty and poor livelihood. The international community needed to redouble its efforts in that regard. Voluntary repatriation was the preferable solution to the Afghan refugee problem, and the joint programme should be further promoted in parallel with the reconstruction process in Afghanistan.

4. The Governments of the Islamic Republic of Iran and Afghanistan and UNHCR were discussing initiatives to help improve voluntary repatriation and find effective solutions. The Afghan refugee situation was complex and would require carefully planned and comprehensive solutions which respected the affected countries' sovereignty.

5. UNHCR should ensure that its engagement on the issue of internally displaced persons (IDPs) did not divert attention and resources away from the refugee issue. With regard to the situation of the Iraqi refugees in Iran, about half the 200,000 registered Iraqi refugees had returned to their homeland, and many still wished to return. Unfortunately, that wish could not be met owing to security reasons and inadequate facilities in Iraq, or the postponement or cancellation of repatriation operations from Iran. Their return should be facilitated through well-managed voluntary repatriation arrangements, and the necessary facilities should be provided upon their return, to ensure a smooth reintegration.

6. Resettlement was also an effective durable solution to the refugee problem; however, the number of opportunities for the resettlement of Afghan and Iraqi refugees in Iran was negligible. His delegation hoped that the international community and UNHCR would give more consideration to resettlement and to burden-sharing as a durable solution to such protracted and large-scale refugee situations as that of Afghan refugees.

7. **Ms. Cho Su-jin** (Republic of Korea) said that effective protection of refugees required the political will and commitment of Member States in addition to assistance from institutional organizations. While the fact that the number of refugees was at its lowest level since 1980 was encouraging, a significant number of refugees in Africa, the Middle East, Asia and Europe were still waiting to return home. It was the shared responsibility of the international community to provide protection to refugees and IDPs. Her delegation shared the concerns of the United Nations High Commissioner for Refugees at the increasing number of IDPs and the asylum-migration nexus. It was urgent to find durable solutions and ensure the physical protection of asylum-seekers in countries of

first asylum. In that regard, the role of UNHCR for the protection of refugees should be strengthened in order to uphold the rights of the most vulnerable, develop safe and sustainable return strategies and prevent repeated situations of displacement, instability and violence.

8. Her delegation encouraged UNHCR to adopt a cluster approach in addressing the protection of IDPs, and stressed the need for close cooperation and coordination among stakeholders in that regard. She applauded UNHCR for its efforts in strengthening partnerships with concerned States, other United Nations agencies, NGOs and local communities to provide more effective protection of IDPs, and also praised its continued efforts at reform, which was crucial. In that connection, her delegation supported the initiatives to make the work of UNHCR more efficient through results-based management, effective oversight, an accountability framework and field-oriented activities. Resources should be used in the most effective and cost-efficient way possible. Reform would help UNHCR to have a more mobile, integrated and multi-skilled staff.

9. Before forcibly repatriating individuals to their home country, host countries should consider the potentially harsh punishments that awaited them on their return. There was a strong need for a system to monitor returnees; monitoring the methods of deportation and conditions and safety upon return would help ensure against all kinds of refoulement. Her delegation was committed to working closely with UNHCR to find durable solutions and address the new challenges of IDPs and the asylum-migration nexus.

10. **Mr. Chernenko** (Russian Federation) said that the Russian Federation was taking steps to strengthen its cooperation with UNHCR and other international humanitarian organizations.

11. While his delegation welcomed the continuing decrease in global refugee numbers, the international community must strive to sustain that trend. Comprehensive joint efforts were needed in order to identify adequate responses to existing and emerging challenges, in conformity with international law and with the principles of neutrality, humanity, impartiality, respect for the sovereignty and territorial integrity of States and non-interference in their internal affairs. The Russian Federation therefore encouraged greater multilateral cooperation — with the United Nations in a coordination role — in combating new threats, and called upon humanitarian organizations, in close cooperation with the States concerned, to help combat international terrorism while at the same time observing strict compliance with international law and ensuring that international protection mechanisms were not misused. In that regard, it was important to ensure that refugee status was granted only to those genuinely in need of international protection.

12. Considerably more could be done to enhance the effectiveness of UNHCR activities. In that regard, the Russian Federation supported the High Commissioner's efforts to ensure greater flexibility and effectiveness in the work of UNHCR, to direct human and financial resources towards addressing the most pressing needs and to ensure optimal implementation of activities.

13. The Russian Federation welcomed the continuing role of UNHCR in strengthening regional cooperation among States and international organizations, which was one of the most effective mechanisms in regulating migration. In that regard, it was vital to continue follow-up of the Commonwealth of Independent States (CIS) Conference on Refugees and Migrants through implementation of the Euro-Asian Programme on Forced Displacement and Migration, which would help to strengthen stability and security both in and beyond that region through practical application of the outcome of the Conference.

14. The Russian Federation appreciated the efforts of UNHCR to increase the cost-effectiveness of its work and to control the allocation of budget resources more strictly, and supported voluntary contributions to UNHCR programmes and efforts to expand the donor base as key mechanisms for reducing the agency's financial deficit.

15. The main objective of UNHCR reform should be to enhance the agency's effectiveness and capacity to respond adequately to new challenges within the framework of its existing mandate, which should not be expanded for the time being.

16. **Mr. Gaspar Martins** (Angola) said that his Government recognized its primary responsibility of providing assistance and protection to refugees and IDPs, and had been allocating financial and material resources to that effect, most recently, in support of the final phase of the country's repatriation process. While Angola had registered historically high economic

growth, much of its impact was being absorbed by the reconciliation and national reconstruction process, under which improvements had been made to the well-being of the population, the more than 370,000 refugees already in Angola as a result of repatriation operations and the more than 4 million IDPs resettled in the past four years.

17. In addressing the repatriation process and socio-economic reintegration of refugees and IDPs, his Government had prioritized the areas of mine action, food safety and professional training. Mines were the main obstacle to national recovery and reconstruction and to the rehabilitation of refugees. In that context, his Government had established a demining commission comprised of a governmental task force that included civil society, international organizations and private companies, and which had been responsible for numerous sensitization initiatives and the removal of more than 15,000 explosive devices in the seven months since its establishment.

18. Many Angolans still faced precarious conditions in their areas of origin in spite of the Government's efforts, and there was growing concern over the occurrence of natural disasters, which in the last year alone had affected more than half a million people, in particular farmers and cattle breeders. Nevertheless, there had been positive results with regard to the return and resettling of Angolans, namely through an increase in cultivation areas and the production and commercialization of agricultural products.

19. His Government was implementing sustainable rehabilitation programmes to help guarantee food safety, reduce the food shortage and relaunch agricultural production. Angola had been able to reintegrate more than a third of its population in its productive activity. While Angola's economy relied in particular on two mineral products that required skilled labour, it would continue to provide training to returnees and IDPs and to distribute agricultural kits to the population. In that connection, he hoped that safer conditions could be ensured in rural areas so as to encourage IDPs to retake their productive activities in the rural economy and release national resources for investment in economic and social sectors, the human capital of ex-soldiers capacity-building for community-based development organizations.

20. **Mr. Laohaphan** (Thailand) said that while the refugee figures were encouraging, they should not be a source for complacency, as the number of IDPs was increased. He welcomed the cluster approach that UNHCR had adopted in that regard, and urged it to strengthen collaboration with other relevant agencies. Also, as the migration-asylum nexus required a comprehensive and coherent response, he welcomed UNHCR's 10-Point Plan of Action to Address Mixed Migratory Movements which should be implemented in a balanced manner that took into account the concerns of host countries and the principle of burden-sharing. The collaboration between UNHCR and IOM on migration-asylum nexus management in North Africa could serve as inspiration in other regions.

21. For decades, Thailand had received successive waves of populations, which had had an impact on its limited resources and its society. He thus appreciated the partnership between Thailand and UNHCR, which had benefited millions of people. He wished to strengthen that partnership by working closely with UNHCR on follow-up of the High Commissioner's recent visit to Thailand.

22. Thailand had taken a number of specific steps to improve the living conditions of thousands of displaced persons from Myanmar residing along its western border; those steps included improvement of education, access to employment opportunities, more effective national status determination mechanism, integration of displaced persons living with HIV/AIDS into the health-care system and the issuance of identity cards.

23. The international community should do more to help developing countries that hosted refugees and IDPs in accordance with the principle of international burden- and responsibility-sharing. Voluntary repatriation remained the preferred durable solution, but failing that, and in a protracted situation, the next best option was resettlement. In that regard, he particularly appreciated recent decisions by countries of resettlement such as the United States, Canada and Australia to help share the burden with Thailand, and hoped that trend would continue and expand to include other countries of resettlement.

24. He urged UNHCR to work closely with relevant agencies in and out of the United Nations to find ways to prevent the outflow of persons from their countries of origin, as prevention was the best and most durable solution. The international community as a whole should review its approach to refugee protection: UNHCR should coordinate with development and

security-related agencies, donors should redouble their efforts to bring about development and employment opportunities and prevent armed conflicts in countries of origin and gaps between peace and security, development, human rights and humanitarianism should be narrowed as much as possible.

25. **Ms. Blum** (Colombia) said that her Government's initiatives for preventive action, protection, assistance for returnees, implementation of national legislation and strengthening of international cooperation, together with a number of joint projects that included a plan of action to strengthen units providing displaced persons with assistance and orientation, reflected the continuing intensive communication and cooperation between the Government and various international agencies and organizations, including UNHCR.

26. The UNHCR office in Colombia had reaffirmed its commitment to supporting the Colombian Government and civil society in their efforts to provide a comprehensive response to the situation of internally displaced persons and to strengthen the protection of the rights of those persons, and had given a positive assessment to national norms providing for assistance in situations of displacement. There had also been greater mobilization of State institutions, broad coverage of the displacement issue on the public agenda and greater allocation of resources to address the problem, although those resources remained insufficient. Colombia greatly appreciated the international cooperation assistance it had received in implementing its successful national programme for assistance to displaced persons.

27. Colombia's new Law on Justice and Peace and the creation of the National Commission for Reparation and Reconciliation guaranteed the participation of displaced persons in legal proceedings instituted in connection with the demobilization of paramilitary groups, and also provided for the surrender of illegally seized property. Colombia's democratic security policy and the demobilization of violent paramilitary groups responsible for forced displacements had contributed greatly to protecting the life, freedom and property of Colombian nationals.

28. The UNHCR office in Colombia, in cooperation with the Ministry of Foreign Affairs and other national institutions, had also been coordinating activities to address the refugee situation, including training activities for State officials, the provision of technical and legal advice, emergency humanitarian assistance to refugees and the organization of joint programmes with private sector and State entities for the effective local integration of refugees.

29. UNHCR, in accordance with its mandate and in implementing the reforms proposed for its office in Colombia, should ensure that its humanitarian assistance activities continued to be based on the principles of impartiality, neutrality and humanity, which were the guiding principles underlying efforts to address internal displacement, and on the provisions of the Charter of the United Nations.

30. National authorities had primary responsibility for affording protection and assistance to internally displaced persons within their jurisdiction. In that regard, the role of the United Nations, including UNHCR, was vital in supporting and strengthening national capacities, without prejudice to the sovereign decisions, responsibilities and obligations of States.

31. While Colombia had established comprehensive legislation, policies and programmes to address displacement and refugee situations and while it directed major resources towards humanitarian assistance, it nonetheless attached great importance to the guidance, assistance and cooperation of UNHCR, which complemented its national efforts, ensured the necessary coordination in the efficient and effective use of resources allocated by various governmental actors, international cooperation entities and the private sector, gave impetus to governmental programmes and ensured greater national institutional capacity to address those issues.

32. **Mr. Kapoma** (Zambia) said that while his delegation welcomed the significant decrease in refugee numbers worldwide and recognized that UNHCR was operating in challenging times with insufficient funds to meet needs, it was deeply concerned that the number of internally displaced persons in Africa was unacceptably high, accounting for more than half the global total.

33. In situations in which States were confronted with large numbers of refugees and means of livelihood were highly competitive or inadequate, repatriation was the preferred durable solution, provided that returnees could enjoy a dignified life in their countries of origin. In that regard, Zambia commended the swiftness with which UNHCR had facilitated implementation of the successful voluntary

repatriation programme for Angolan refugees launched in 2003, and welcomed the decision by the Angolan Government to extend that programme for a further year, until the end of 2006. Recognizing, however, that some Angolan refugees might not wish to return to Angola after that time, his Government welcomed the offer of support from the Government of Denmark in building Zambia's national capacity for the protection of refugees and displaced and stateless persons, and hoped that other donors would offer similar support. Peacebuilding and capacity-building efforts were also crucial in facilitating successful voluntary repatriation programmes.

34. In countries of origin where positive political change had taken place but had not resulted in a significant level of return of refugees and displaced persons, UNHCR must act decisively to determine the reasons for the failure to return. Zambia recognized that in some cases refugees might be unable to do so, and therefore appealed to the international community to expedite capacity-building programmes in order to give effective support to returnees.

35. In an effort to address the challenges posed by protracted refugee situations, his Government had launched a poverty alleviation and development programme entitled "the Zambia Initiative", which targeted the needs of both refugees and the local populations living in the areas that hosted them. The programme had achieved numerous successes in the western part of the country, where it had first been implemented, but had received little support in areas to which it had been extended, a situation that had gravely affected its continuation. Despite the shortcomings identified in an independent evaluation of the programme, it was widely acknowledged as an appropriate approach to addressing protracted refugee situations. The Government therefore remained committed to ensuring that the Initiative should continue to be implemented in refugee-hosting areas, and had included it under its National Development Plan. In that regard, it called on UNHCR and the international community to continue to support the Initiative with the necessary funds until the programme became self-sustainable.

36. Current global response mechanisms should be reviewed and reformed in order to reflect changes in the global humanitarian situation, particularly the increasing number of internally displaced persons. Clear mandates for all actors were essential in order to avoid gaps and delays in the delivery of urgently needed assistance in crisis situations. While the Zambian Government welcomed the evolving role of UNHCR in addressing internal displacement, it appealed to UNHCR to remain committed to its core mandate in order to ensure effective refugee protection, inter alia by helping States to build their national capacities to address refugee issues effectively.

37. The evolving global humanitarian order underlined the need to address socio-economic problems in developing countries and to give active support to national poverty eradication programmes and long-term development efforts. Countries of asylum must be supported in receiving refugees and displaced persons. Zambia therefore looked forward to working with other delegations to develop the humanitarian agenda further on the basis of the key themes of prevention, access, the right to humanitarian assistance, local capacity-building and burden sharing.

38. Concerted efforts and urgent action were needed to address the humanitarian situation in Africa, particularly in the Darfur region of the Sudan and in Chad.

39. Zambia reaffirmed its commitment to working with the international community to find durable solutions to the global situation of refugees and internally displaced persons.

40. **Ms. Abdelhak** (Algeria) said that the efforts of UNHCR to strengthen its protection activities, explore durable solutions and control and rationalize expenditure with a view to ensuring optimal cost-effectiveness in the field should be encouraged within the framework of its reform process. However, it was vital to ensure that those efforts did not depart from the UNHCR mandate or lead to its expansion.

41. The increase in the number of displaced persons was forcing UNHCR to reorient its activities towards their protection. However justified that shift in focus might be, it inevitably entailed a burden on the financial resources of UNHCR, and should not be allowed to weaken the agency's mandate to protect refugees.

42. Algeria was deeply concerned at the precarious financial situation of UNHCR and the gaps created in assistance and care for refugees, particularly in Africa, where assistance had already been reduced to a strict minimum and where security and the social situation were already fragile. The financial resources of

UNHCR must be predictable and allocated on the basis of urgency and need, thus ensuring a swifter and more flexible response capacity.

43. The concept of burden-sharing should take into account the efforts of host countries and the impact of protracted refugee situations on their social and economic development.

44. Algeria had long hosted refugees in its territory, offering them assistance, aid and solidarity, and would continue to spare no effort to alleviate their suffering until they were able to return home voluntarily in safe and dignified conditions, and to contribute to efforts to normalize the situations that had caused them to flee from their countries of origin. Some of the refugees who had come to Algeria had become fully integrated. It was in the same spirit that Algeria supported the aspirations of the Western Saharan people who had found asylum in Algeria while awaiting definitive settlement of the question of Western Sahara.

45. Algeria had implemented an assistance programme in the amount of $10 million to assist countries affected by drought and flooding, which had been completed at the beginning of 2004 and followed by a similar programme in the amount of $4 million in 2005. In addition, Algeria had responded immediately to assist Western Saharan refugee camps that had been damaged by torrential rain in February 2006, arranging the necessary airlift operations to provide human, material and financial assistance to those in the camps. Algeria welcomed the measures undertaken by UNHCR and other partners to address that urgent situation, including the deployment of a team of experts and the organization of airlift operations between its regional supplies warehouse in Amman and Algeria's airports.

46. However, his delegation failed to understand the decision to reduce subsistence aid provided by UNHCR and the World Food Programme to Western Saharan refugees, which appeared to have been based on an assessment that did not reflect the situation on the ground.

47. The situation should be reviewed and the number of Western Saharan refugees reassessed as a matter of urgency in order to avoid placing those refugees at risk and to ensure that none was excluded from receiving assistance.

48. **Ms. Adjalova** (Azerbaijan), said that her delegation welcomed the structural and management reform of UNHCR, which would enable the agency to respond adequately to the numerous challenges posed by displacement. In that regard, her delegation applauded the High Commissioner's determination to adapt the agency to meet the demands of the changing world.

49. United Nations agencies still needed to strengthen cooperation and revitalize their collaborative action in order to address existing gaps in the international response to situations of internal displacement. In that regard, Azerbaijan supported the cluster approach and the broader engagement of UNHCR with the issue of internal displacement. UNHCR should fortify its interaction and cooperation with other United Nations agencies in order to extend the cluster approach to situations of protracted internal displacement; a long-term perspective was needed to address internal displacement issues. Azerbaijan looked forward to the outcome of the evaluation of the new collaborative approach based on the implementation of pilot projects.

50. The year 2006 had witnessed dynamic interaction between Azerbaijan and UNHCR. The visit of the High Commissioner to Azerbaijan in August 2006 had provided an excellent opportunity to review the ongoing involvement of UNHCR in Azerbaijan, had given significant impetus to results-oriented cooperation and had shown reassured internally displaced Azerbaijani nationals that their hardships still received the attention of the international community.

51. Azerbaijan welcomed the renewed commitment of UNHCR to continue its advocacy work with the aim of finding solutions for displaced persons, particularly with regard to the right to return, and the willingness of UNHCR to assist the Government of Azerbaijan in planning for a large-scale return of its forcibly displaced population. It hoped that UNHCR would act as a catalyst for the active engagement of other partners and for strengthening coordination on the ground.

52. Azerbaijan was continuing its efforts to improve the living standards of the internally displaced population through a number of temporary integration initiatives and measures. Those included eliminating camps for refugees and internally displaced persons and moving displaced families currently residing in those camps or in other places unsuitable for living to newly built temporary village settlements with the

necessary infrastructure and education and health-care facilities to improve their social conditions. State budget allocations to meet their needs would be further increased in 2007. In that regard, Azerbaijan welcomed the assessment of the High Commissioner of its arduous and committed work as a positive example to other countries facing similar challenges.

53. The technical and consultative assistance provided by UNHCR gave crucial support to Azerbaijan's capacity-building efforts in strengthening the asylum system. The Government of Azerbaijan looked forward to further cooperation with UNHCR and other United Nations agencies in addressing the ongoing problems arising from the protracted situation of displacement in Azerbaijan and the broad range of refugee, asylum and migration challenges it faced as a refugee host country.

54. **Mr. Ly** (Mauritania) said that his delegation appreciated the role played by UNHCR in the economic and social development of Mauritania. Mauritania had entered a new political phase in its history since the change of power on 3 August 2005, which had paved the way for the establishment of a pluralistic, democratic system founded on equality and justice for all, free elections and good governance. Many Mauritanians living outside the country before the August events had decided to return in order to participate fully and freely in Mauritania's nation-building.

55. Mauritanians had no reason for seeking asylum abroad. All Mauritanians were able to enter their country without difficulty and enjoy all of their rights as citizens, which were guaranteed by extensive political, judicial, economic and administrative reforms acknowledged by partners on the ground, including UNHCR.

56. **Mr. Sayeed** (India) said that his delegation welcomed the adoption by the UNHCR Executive Committee of the Conclusion on Women and Girls at Risk (A/61/12/Add.1, chap. III.A). Protection must remain at the core of UNHCR work. New challenges arising from situations of internal displacement should receive greater attention. However, that must not be at the expense of the core activities of UNHCR. The States concerned should determine its role in situations involving internally displaced persons. It should also take into account the complementarities of mandates and expertise of other relevant organizations.

57. The international community must develop the capacity to differentiate refugees from economic migrants in order better to address refugee protection needs. Voluntary repatriation was preferable to all other solutions. It was also important to ensure timely implementation of rehabilitation and reconstruction initiatives to ensure the sustainability of the reintegration of those who had been repatriated. The protection of refugees must be seen in the light of the basic causes of mass displacement, particularly extreme poverty and lack of adequate resources for economic and social development.

58. The 1951 Convention and 1967 Protocol relating to the Status of Refugees, which constituted the cornerstone of the international refugee protection regime, had been adopted within the specific framework of conditions in post-World War II Europe. Those instruments did not cover a number of issues of current significance, particularly massive refugee flows and mixed migration. India's commitment to humanitarian issues was second to none. Its protection regime was based on the fundamental rights guaranteed under the Indian Constitution and was superior to that in many developed countries. It would continue to work in concert with the international community to address the new challenges to the international protection agenda.

59. Lastly, his delegation supported the High Commissioner's efforts at structural and management reform and lowering staff costs, which would release much needed funds to support operations. UNHCR must continue to work in a transparent and impartial manner, in close cooperation with the States concerned in achieving its goals.

60. **Ms. Petersen** (Bolivarian Republic of Venezuela) expressed appreciation of UNHCR work in her own and other Latin American countries faced with a mass influx of Colombians fleeing armed conflict. Venezuela's 2001 Organic Law on Refugees and Asylum-Seekers had established the right of people to seek refuge in Venezuela under the 1967 Protocol relating to the Status of Refugees. It prohibited refoulement of refugees and discrimination against them and guaranteed refugee-family unity and special protection for child refugees, particularly those separated from their immediate families.

61. In order to guarantee the right to refuge and to asylum — two entirely different categories in

Venezuela — in 2004 the National Refugee Commission had been created, as well as regional secretariats in Táchira, Zulia and Apure bordering Colombia. Venezuela, a multi-ethnic, multicultural country of immigrants, did not put up walls to keep out refugees. A variety of social programmes created by the Chávez administration had been extended to refugees and asylum-seekers with a view to their non-discriminatory integration into society.

62. The UNHCR mandate was to guarantee protection for refugees, who were in a quite different category to immigrants found in mixed migratory flows. States from which refugees fled were primarily responsible for addressing the root causes of such flight through concrete action and the political will to allow UNHCR to fulfil its mandate. States were also responsible for addressing the plight of internally displaced persons within their jurisdiction. A paragraph to that effect had been included, at Venezuela's request, in resolution AG/RES.2140 (XXXV-0/05), adopted by the General Assembly of the Organization of American States at its 2005 session.

63. **Mr. Al-Shehab** (Kuwait) said that his delegation was pleased to see that according to the report of UNHCR, the number of refugees worldwide had fallen to the lowest level in more than 25 years and that more than 6 million refugees had been able to return to their homes. The great and diverse challenges faced by UNHCR in protecting refugees required the international community to provide it with all material and moral support.

64. Kuwait had always supported UNHCR through voluntary contributions, which had amounted to nearly three quarters of a million dollars in 2006, and spared no efforts in helping refugees throughout the world. It had always endeavoured to assist the Palestinian refugees, had come to the aid of Lebanese victims of Israeli aggression and of refugees in Pakistan and Afghanistan.

65. **Mr. Taha** (Sudan) said that, despite the burden that hosting refugees had placed on his country, which had suffered and continued to suffer from the effects of the crises and conflicts that beset its neighbours, the Sudan had willingly hosted refugees since its independence. UNHCR's policy of gradual withdrawal and the cessation of assistance to more than 120,000 refugees in eastern Sudan had increased his country's burden. Nonetheless, it continued to host refugees because of its firm commitment to the international laws and norms governing refugee affairs.

66. The signing of the Comprehensive Peace Agreement and the Darfur Peace Agreement provided a firm foundation and suitable environment for the return of both external and internal refugees to their villages and towns; in fact, return had already begun in South Sudan. That required the Sudan, in cooperation with UNHCR, to provide those returning refugees with the components necessary to lead a dignified life. Consequently, UNHCR needed to pay greater attention to the status of Sudanese refugees in various countries awaiting repatriation.

67. In that regard, the Sudan looked forward to the establishment of an effective partnership with UNHCR, the international community, the bodies and agencies of the United Nations and civil society organizations for the creation of development projects, particularly in the war-affected areas of the country.

68. **Mr. Giorgio** (Eritrea) said his country, affected by years of conflict, had long been concerned about the situation of refugees and IDPs. Thousands of Eritrean civilians had fled to the Sudan and elsewhere throughout the period of the armed struggle. Upon Eritrea's independence, many had been voluntarily repatriated and often found themselves with inadequate support for shelter, health, education and economic opportunities.

69. UNHCR was hampered by a lack of resources, and international financial contributions often fell short and did not match stated burden-sharing commitments. UNHCR initiatives should therefore address the root causes of refugee outflows, such as violence and insecurity during conflicts. Durable solutions would come only through progress in conflict resolution and with the support of the international community. The response to the problems of refugees and IDPs must be coordinated at both the national and international levels, and all United Nations bodies must strive to resolve conflicts with full adherence to the Charter of the United Nations and international law.

70. His delegation shared the growing concern that the humanitarian needs of IDPs had not been adequately covered in the past. Partnerships between UNHCR and other United Nations bodies needed to be strengthened in order to fill gaps in the humanitarian area; the development of the Inter-Agency Standing Committee was a positive step in that direction, as was

the fruitful collaboration of the ILO-UNHCR Technical Cooperation Partnership programme on sustainable livelihoods for refugees.

71. Ideas for the durable solution of the refugee issue included prevention measures, protection of refugees, voluntary repatriation, and reintegration programmes for those repatriated, and his country had endeavoured to work within those recommended parameters. Despite the strain that placed on its limited resources, the country was committed to voluntary repatriation and would continue to contribute to the peace, security and stability of the region.

72. **Ms. Tchitanava** (Georgia) said issues relating to refugees and IDPs were particularly acute for Georgia, owing to the conflicts in the two breakaway regions of Abkhazia and Tskhinvali Region/South Ossetia. Ethnic cleansing and genocide had been perpetrated against Georgians and people of other nationalities, who had been forced to flee those regions. Due to the lack of a political settlement 15 years after the end of hostilities, those people were still denied the right to return and were forced to live in crowded temporary collective shelters or similar accommodation. Most of them had stayed in Georgia, but some of the 50,000 or so who had fled to neighbouring countries had, regrettably, never requested refugee status.

73. The United Nations, and UNHCR in particular, had been involved in negotiations to secure the prompt and safe return of refugees and IDPs to their homes; those efforts had been negatively interpreted by the separatists, and the process of organized return had stalled. The spontaneous return of Georgian IDPs had taken place predominantly in the Gali district, where the human rights situation was extremely precarious. Most grave violations of basic human rights occurred in the zone of responsibility of the Russian peacekeepers, who did virtually nothing to prevent or address them.

74. The separatists had taken discriminatory action such as forcing returnees, on pain of death, to acquire "citizenship" or taking conscripts for the "Abkhaz army", in order to legitimize their regime and change the area's demography. Property of Georgians had been sold to new owners, encouraged by third parties and sometimes even supported by the international community. Another problem, tantamount to cultural genocide, was the banning of Georgian-language instruction in Gali schools, where the entire school curriculum was taught in Russian, and teachers who dared to use Georgian had been harassed.

75. The separatist regime must be made to implement the recommendations of the High Commissioner for Refugees and the Representative of the Secretary-General on internally displaced persons and to put an end to their discriminatory legislation, admit United Nations civilian police and cooperate in the establishment of a permanent international human rights office in Gali, as urged by the Security Council. A real return process and verification of returnees could not start without security guarantees. UNHCR help was also needed to promote international protection for Chechen refugees in Georgia and Azerbaijan.

76. Georgia was doing its best to improve the conditions of refugees and IDPs and to facilitate their integration into local societies. The first phase had been registration, carried out in cooperation with UNHCR and other international donors, and work on property restitution and asylum assistance was under way. Also, the Georgian Parliament had adopted legislation on IDPs, providing them with legal, economic and social guarantees, and work was being done on a comprehensive action plan for IDPs, for which support from international organizations and donors would be useful. She hoped that joint efforts by her Government and the international community would create the circumstances for the prompt, safe and dignified return of refugees to their places of origin in Abkhazia, Georgia and Tskhinvali Region/South Ossetia.

77. **Ms. G/Mariam** (Ethiopia) said that conflicts, poverty, natural disasters and political persecution had always been the major forces behind the fleeing of millions of people around the world. While it was encouraging to note the decline in the global number of new refugees entering neighbouring countries, the plight of the millions of IDPs called for urgent cooperation from the international community.

78. There were currently over 100,000 refugees in seven camps in Ethiopia, the majority of them South Sudanese who had fled the country in 1983 and 1993. Following the 2005 Comprehensive Peace Agreement, many of them were preparing to return home, while some had already been repatriated under the tripartite agreement signed by Ethiopia, the Sudan and UNHCR. There were also 16,123 Somali refugees left over from

the 1980s and 1990s and 11,503 Eritrean refugees displaced during and after the Ethiopian-Eritrean border conflict. Ethiopia also hosted 555 urban refugees from 13 countries in Addis Ababa.

79. Many African countries had continued to host large numbers of refugees, sharing with them their meagre resources at the cost of environmental degradation and ruined infrastructure. The magnitude of the problem showed the degree of international support needed in order to address the refugee problem and was a reminder of the need to address the root causes of conflict and to work towards peace, stability, democracy and economic development throughout the continent.

80. **Archbishop Migliore** (Observer for the Holy See) noted that the legal system had adapted to evolving demands, as attested to by adoption of the Conclusion on Women and Girls at Risk and of the Conclusion on Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons. Another positive development was UNHCR's assumption, in the cluster approach, of leadership responsibility for the protection of IDPs. The reality on the ground required further attention to their needs, without losing sight of the special characteristics of refugees and their protection.

81. In addition to an adequate legal framework, protection required cooperation and political will. Unfortunately, it appeared that the legal concept of asylum was being eroded as some States gave national legislation or bilateral agreements precedence over international refugee law. Also, the phenomenon of mixed flow had made access to asylum more difficult, with some countries failing to uphold in their domestic legislation internationally established rights such as freedom of movement, the right to work and the recognition of qualifications.

82. Furthermore, programmes remained largely underfunded, resulting in a huge gap in assistance to refugees. As conflicts came to an end, strong cooperation among agencies involved in relief assistance and post-conflict recovery was needed in order to afford sustainable return in safety and dignity and the reconstruction of the local social and economic infrastructure. Norms for the protection of those in need should be applied at the national, regional and international levels, as applicable. The rights and dignity of human beings were at stake, and they deserved the highest consideration and best efforts for their protection.

83. **Mr. Dall'Oglio** (International Organization for Migration (IOM)) said that the link between the protection of refugees and broad migration movements called for coherence between UNHCR and IOM. The two organizations, both founders of what was now the Geneva Migration Group, cooperated on humanitarian crises that derived from large-scale mixed population movements and required both policy coordination and operational responses. A working group was addressing emergencies in the Western Mediterranean, and UNHCR, the Italian Red Cross and IOM had cooperated to provide relief and protection to thousands of battered people landing on the shores of the Mediterranean island of Lampedusa. That joint approach could be replicated elsewhere.

84. In mixed migratory flows, the primary UNHCR role was to ensure that asylum-seekers had access to proper status determination procedures and appropriate responses, while IOM ensured that effective migration management legislation and implementation practices were consistent with relevant international provisions. Such cooperation and coordination were essential at the policy level, but must also be implemented in humanitarian crises, where delay or duplication was to be avoided.

85. In implementing the cluster approach within the Inter-Agency Standing Committee (IASC), UNHCR led the Camp Coordination and Camp Management Cluster (CCCM) for conflict-induced IDPs, while IOM took the lead in assistance to those displaced by natural disasters. They had agreed early on to a unified approach, which prevented duplication while recognizing the primary responsibility of each in its respective area. A cluster working group and training activities built up management camp-capacities and created a pool of readily deployable staff. The two organizations, under the coordination of the Norwegian Refugee Council, had developed a camp-management toolkit and held a joint training-of-trainers seminar in Ethiopia and the Philippines, with participants from various regions.

86. **Mr. Buff** (International Committee of the Red Cross (ICRC)) said that although IDPs, unlike refugees, were not the subject of a specific international convention, they were protected by national law, human rights law and, if located in a State in armed conflict,

by international humanitarian law, which expressly prohibited any party to an armed conflict from forcing civilians to leave their homes, with the exception of temporary evacuations in exceptional circumstances. It was the violation of norms of international humanitarian law that often caused civilians to flee.

87. Action was urgently needed to ensure compliance with the law. ICRC, as custodian of international humanitarian law and an independent humanitarian institution, would continue to remind all stakeholders of their responsibilities in that regard. However, humanitarian endeavours were intended to complement, not replace, political action, and all States parties to the four 1949 Geneva Conventions had a responsibility, under article 1, to ensure respect for international humanitarian law. IDPs were very vulnerable both during their displacement and on return. They were often deprived of their livelihoods, the support of their communities and access to essential goods and services, and were frequently exposed to mines, tensions with host communities, sexual violence and under-age recruitment.

88. Primary responsibility for their protection and for response to their needs lay unequivocally with the State or other authorities under whose control they found themselves, but the authorities were all too often unable or unwilling to provide such protection and assistance, and it was in such cases that humanitarian organizations had a role to play. Ensuring such protection and assistance lay at the core of the ICRC mandate, to which end it adopted flexible strategies and sought a balance between targeted actions and more general efforts aimed at the broader population.

89. ICRC had repeatedly stressed that increased awareness of the plight of IDPs should not lead to neglect of those who had not left their homes or of protection and assistance for host populations. Those who remained behind sometimes faced even greater threats. ICRC therefore provided civilian populations with a comprehensive response to their multifaceted needs. It did so by combining protection and assistance activities of various kinds. When safe and dignified return was possible, the basic needs of returnees and the rest of the community needed to be addressed. And when return was impossible, long-term displacement called for durable solutions, with all the challenges they entailed for humanitarian and development actors. Significant parts of ICRC activities were implemented in cooperation with counterparts within the International Red Cross and Red Crescent Movement. However, while such activities fell within the ICRC mandate, the scope and magnitude of the task clearly surpassed the capacity of a single agency.

90. ICRC had closely followed the United Nations humanitarian reform process, including efforts to develop the cluster approach, and worked closely with UNHCR, with which it would further expand cooperation. While hoping that the cluster mechanism would improve the humanitarian community's capacity to provide a timely and effective response to IDP needs, ICRC intended neither to lead a cluster nor be a cluster member, in order to preserve its unique identity as an independent intermediary and institution. However, it was committed to field-based and action-oriented cooperation.

91. **Mr. Schulz** (International Federation of Red Cross and Red Crescent Societies (IFRC)) said that his delegation commended UNHCR for its continuing efforts to provide protection and assistance to asylum-seekers, refugees and internally displaced populations as well as the determination shown by the High Commissioner to address protection issues and to prioritize them within his Office. The renewed emphasis on capacity-building would do much to ensure that Governments were in a position to discharge their protection responsibilities and ensure the rights of asylum-seekers and refugees.

92. Governments must cooperate closely and maintain dialogue with humanitarian actors on issues relating to refugee protection and displacement. Dialogue with Red Cross and Red Crescent Societies had its own special context. Although they were the auxiliaries to their public authorities in the humanitarian field, their large, strong and trained volunteer base made them ideal partners in cases relating to the protection of refugees, internally displaced persons or migrants. Furthermore, vulnerable groups, especially asylum-seekers, trafficked persons and irregular migrants, would often rather seek the assistance and support of a local Red Cross or Red Crescent branch than approach the authorities.

93. Regrettably, many countries lacked sufficient resources for status determination, which put people with a well founded fear of persecution at risk of being returned to the country from which they had fled. His delegation therefore welcomed UNHCR efforts to increase its assistance to a number of countries to

strengthen their capacity to conduct refugee status determination. The circumstances of people who travelled under extremely harsh and dangerous conditions, without documents or support, were a matter of particular concern for his delegation. IFRC members went to extraordinary lengths to bring life-saving assistance to them, but it was an environment often made more difficult because of the marginalization of the people or the reluctance of some Governments to accord them the most basic attributes of human dignity.

94. The age, gender and diversity mainstreaming strategy implemented by UNHCR coincided well with IFRC's intention to increase competence and skills development for gender equality within the disaster management area. Empowering women would help to protect them from gender-based violence, HIV/AIDS, trafficking, disease and discrimination.

95. **Mr. Chernenko** (Russian Federation), speaking in exercise of the right of reply, said that statements like that of the representative of Georgia, did nothing to promote a return to normal, civilized relations between the two States. As the Russian Minister for Foreign Affairs had emphasized after meeting his Georgian counterpart, it was necessary above all to refrain from militant rhetoric and provocative actions, as required by Security Council resolution 1716 (2006), and to implement the previous agreements reached to resolve the conflicts in Abkhazia and South Ossetia.

96. **The Chairman** said that the Committee had thus concluded its general discussion of agenda item 41.

Draft resolution A/C.3/61/L.47: Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

97. **Mr. Toon** (Estonia), introducing the draft resolution also on behalf of Costa Rica, said that Costa Rica and Estonia had applied for Executive Committee membership, as they were guided by their interest in and devotion to the solution of refugee problems. As an emerging donor country to UNHCR, Estonia was determined to participate actively in its crucial international humanitarian work. The enlargement of the Executive Committee to include Estonia and Costa Rica, which had a long tradition of providing asylum to refugees, would provide them with an opportunity to enhance their contribution to international efforts to resolve the problems related to refugees and internally displaced persons throughout the world.

Agenda item 67: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

Draft resolution A/C.3/61/L.44: Hostage-taking

98. **Mr. Gustafik** (Deputy Secretary of the Committee) said that the Sudan should have been included as a sponsor of draft resolution A/C.3/61/L.44.

99. **Mr. Nikiforov** (Russian Federation), introducing the draft resolution on behalf of the original sponsors and Kazakhstan and Ukraine, said that hostage-taking remained an urgent problem which his Government had experienced first hand. It was difficult to imagine a more barbarous crime than the hostage-taking that had occurred in the Russian city of Beslan in September 2004, when children and their parents had been seized and shot in the back in cold blood. That incident had clearly demonstrated the lack of morals on the part of terrorists. The murder of Russian Embassy officials in Iraq in 2006 was still a fresh memory. The justifications put forward by terrorists for such acts were often couched in terms of concern for human rights. The adoption of the draft resolution would send a clear signal to hostage-takers that there could be no such justification for those acts.

The meeting rose at 12.50 p.m.